

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

TONY DINH VU,

Defendant.

No. 8:23-cr-00099-JWH

I N D I C T M E N T

[18 U.S.C. § 922(g)(1): Felon in Possession of Firearms and Ammunition; 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c): Criminal Forfeiture]

The Grand Jury charges:

[18 U.S.C. § 922(g)(1)]

On or about March 11, 2020, in Orange County, within the Central District of California, defendant TONY DINH VU knowingly possessed the following firearms and ammunition, in and affecting interstate and foreign commerce:

1. A Remington Model 11-87 shotgun, bearing serial number PC303337;

2. A Remington Model 870 shotgun, bearing serial number V906642V;

1 3. A Remington Model 11-87 shotgun, bearing serial number
2 PC271341;

3 4. A Remington Model 870 shotgun, bearing serial number
4 CC19100A;

5 5. A Remington Model 552 .22 caliber rifle, bearing serial
6 number B1418729;

7 6. A Remington Model 31 shotgun, bearing serial number 556559;

8 7. A Remington Model 572 long gun, bearing no serial number;

9 8. A Springfield Armory Model SPH M1A long gun, bearing serial
10 number 069769;

11 9. A Winchester Ranger rifle, bearing serial number G1640447;

12 10. A Ruger Model SR M77 Mark II rifle, bearing serial number
13 780-98557;

14 11. A Winchester Model 70 rifle, bearing serial number G62525;

15 12. A Winchester Model 70 rifle, bearing serial number
16 G2088847;

17 13. 187 shells of Remington Express 12 Gauge Buckshot;

18 14. Five shells of Remington Slugger 12 Gauge Hollow Point
19 Rifled Slugs;

20 15. 346 shells of Remington Duck/Pheasant Load 12 Gauge Shot;

21 16. 125 shells of Remington Game Load 12 Gauge Shot; and

22 17. 25 shells of Remington Premier Heavy Target Load 12 Gauge
23 Shot.

24 Defendant VU possessed such firearms and ammunition knowing that
25 he had previously been convicted of at least one of the following
26 felony crimes, each punishable by a term of imprisonment exceeding
27 one year:

1 1. Receiving Stolen Property, in violation of California Penal
2 Code Section 496(a), in the Superior Court for the State of
3 California, County of Orange, case number 98HF1185, on or about
4 January 8, 1999;

5 2. Four counts of Identity Theft, in violation of California
6 Penal Code Section 530.5(a), and 29 counts of Acquiring Access Card
7 Account Information Without Consent of Cardholder or Issuer, in
8 violation of California Penal Code Section 484e(d), in the Superior
9 Court for the State of California, County of Orange, case number
10 03CF1332, on or about October 17, 2003;

11 3. Possession for Sale of a Controlled Substance, in violation
12 of California Health and Safety Code Section 11378, and Possession
13 for Sale of Cocaine Base, in violation of California Health and
14 Safety Code Section 11351.5, in the Superior Court for the State of
15 California, County of Orange, case number 11WF0266, on or about June
16 15, 2011;

17 4. Unlawful Taking of Vehicle, in violation of California
18 Vehicle Code Section 10851(a), Identity Theft With Prior Conviction,
19 in violation of California Penal Code Section 530.5(c)(2), and
20 Receiving Stolen Property, in violation of California Penal Code
21 Section 496(a), in the Superior Court for the State of California,
22 County of Orange, case number 11WF1470, on or about July 21, 2011;

23 5. Possession for Sale of Cocaine Base, in violation of
24 California Health and Safety Code Section 11351.5, and Possession for
25 Sale of a Controlled Substance, in violation of California Health and
26 Safety Code Section 11378, in the Superior Court for the State of
27 California, County of Orange, case number 12WF1890, on or about
28 January 25, 2013; and

1 6. Evading While Driving Recklessly, in violation of
2 California Vehicle Code Section 2800.2, and Receiving Stolen
3 Property, in violation of California Penal Code Section 496d(a), in
4 the Superior Court of California, County of Orange, case number
5 Number 12WF3150, on or about January 25, 2013.

FORFEITURE ALLEGATION

[18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18 United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), in the event of defendant's conviction of the offense set forth in the sole count of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any firearm or ammunition involved in or used in such offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of the defendant, the property described in the preceding paragraph or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has

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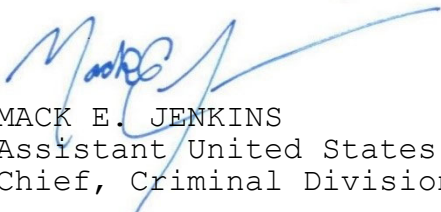
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1 been placed beyond the jurisdiction of the court; (d) has been
2 substantially diminished in value; or (e) has been commingled with
3 other property that cannot be divided without difficulty.

4
5 A TRUE BILL

6
7 /s/
8 Foreperson

9 E. MARTIN ESTRADA
10 United States Attorney

11 
12 MACK E. JENKINS
13 Assistant United States Attorney
14 Chief, Criminal Division

15 BENJAMIN R. BARRON
16 Assistant United States Attorney
17 Chief, Santa Ana Branch Office

18 GREGORY S. SCALLY
19 Assistant United States Attorney
20 Deputy Chief, Santa Ana Branch
21 Office

22 CAITLIN J. CAMPBELL
23 Assistant United States Attorney
24 Santa Ana Branch Office
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